567 control by the canton chiefs in whose territories they are located.
627 The inhabitants pay nothing to the kombéré nor can the chief require any labor service in his fields or for the upkeep of his houses. They recognize only the Mogho Naba as chief.

567 Kamboinsé. True Kamboinsé are not Mossi; they came from the west during the reign of Naba Waraga (nineteenth successor of Oubri). Like the dapobi of the Dapoya section they came with guns (their chief even had a [ceremonial] stool) to put themselves under the authority of the Mogho Naba. Their chief, Gambaré by name, told the emperor that they had come to offer themselves as soldiers and slaves to help him pacify his territory. The Kamboinsé occupy a section of the town behind the Catholic mission on the right side of the road to Pô.

When the emperor's native gunners found themselves faced with competition from foreigners, they countered by appointing their own chief who took the title of Kamboin Naba. They are, however, different from the true Kamboinsé, and they live a dozen or so kilometers from Ouagadougou in the villages of Kamboinsé and Wobrigré.

While the first-mentioned Kamboinsé are voluntary slaves, the others are true slaves captured in war or bought by the emperor.

567 426 [92] Use of slaves as security for debt. Captives might be used to settle debts. It should be noted that the right to own slaves was not limited to the emperor and his vassals. Any prosperous Moaga (dakangré) might own them.

[612] If the head of a household died leaving debts, the heirs could sell a few slaves to pay off the obligation. If, however, the creditor preferred to have the slaves, the latter were put up for appraisal just as though they were livestock.

In the same way, slaves could be traded for horses, garments, or even loads of kola nuts.

567 If slaves were maltreated by their owners, providing that the latter were not of the nobility, they could put themselves under the protection of the naba. In that event they ceased to belong to their former owners. On the other hand, if a Moaga took it upon himself [682] to kill a slave, he at once had to pay a fine of 100,000 cowries to his canton chief as a blood price.

567 439 Ordinarily, captives who were brought back from the wars were at once sold to the Haoussa [Hausa] or Yarcé [Yarse] who traded

768 heirs, to his brothers. If the deceased was the keeper and guard-
428 ian of the family fetish, it is taken to the home of his eldest brother or to a person designated by custom.

We have seen, however, that the Moaga will not live in a home without consulting a soothsayer. Therefore, if the spirits are not favorable to the heir, the home is turned over to the other sons or to the brothers of the deceased. Besides, in many cases the eldest son is already married and the head of a family and already has his own home. He then lodges his dakompa (young unmarried brothers) or one of his uncles in his father's home.

428 Acceptance or repudiation of inheritances. Consequences.
426 To accept and receive an inheritance involves the obligation to pay the debts and claims against it. Among the Mossi, an inheri-
672 tance is never refused since a refusal does not free one from the obligation to pay the debts of the deceased. Relatives always collaborate, not because of any feeling for common property -- which [261] does not exist, as we have seen above -- but out of respect for the principle of collective responsibility which has been developed in the interests of public order. Creditors will naturally claim their due first from the legitimate heir, but if the estate cannot meet its obligations, all of the close relatives are jointly responsible.

428 The estate does not include any gifts made to members of the family by the deceased during his lifetime.

Wills. Among the Mossi, a will is always made orally. In the presence of his relatives -- uncles and brothers -- and of his neighbors, who have been assembled for the occasion, the testator makes known his last wishes to his legitimate heir, who will have full rights as his testamentary successor. However, in the event that the will is intended to disinherit the legitimate heir and if for some reason or other he is not present, the testator will entrust the execution of his last wishes to the oldest member of the family present.

Disinheritance of the heir presumptive. In the presence of witnesses and under the conditions indicated above, the testator explains his reasons for disinheriting the heir presumptive. In the event that the reasons seem insufficient, the witnesses will seek

695 tomb and force him to drink water in which earth from the grave had been diluted. This test was greatly feared, for the Mossi believe that the deceased will come and take his revenge.

The defendant went free unless his guilt was proved by witnesses. When arguments arose about the ownership of fields, domestic animals, etc., each person concerned would give his arguments and summon his witnesses, and the judges made a decision on the basis of the discussions. If two women quarreled, their husbands were supposed to get together and reach a decision. The province chief judged disputes
692 concerning marriage. For instance, if a girl had been promised to someone and the bride price was paid in part, and then her father changed his mind and gave her to another, the disappointed suitor could appeal to the province chief, who saw to it that the payment was returned. If the defendant ran away to avoid trial, he could only be tried in absentia if witnesses deposed against him.

/25/ The sentence was carried out as far as possible, even in the
696 absence of the convicted party; if he returned, the trial was not re-
691 opened but he could appeal to the province chief. The family is
692 held responsible in every case. If the sentence includes a fine, and if the convicted person's property is insufficient, the property of his relatives is seized. People are held accountable for their children's debts, and if the defendant runs away, one of his relatives is seized in his place. On the other hand, the head of the family is the abso-
[513] lute master and the judge of the family. He must pay his children's debts and the fines they have incurred, but he may chastise them, even put them to death, or banish and curse them, a punishment which as a rule is greatly feared. All this indicates the strength of the family ties, which we shall study in the second part of this work. The naba saw to the execution of the sentence pronounced by the court; the executive and judicial powers were vested in the same person. If anyone refused to pay his debts or to pay the inflicted penalty, he was stripped of his property. No commutation of the sentence was allowed, and the person condemned to irons or to death had to suffer the sentence himself and could not go free by paying a fine or by substituting a slave. Capital punishment was carried out in public. The province chief was entitled to grant a pardon, but,
[761] of course, he made use of this right quite rarely. A man's life counts for so little in the eyes of the Black!

695 The procedure was the same for all, men and women. The sons
681 of nabas, the nakomsé, however, were neither tried nor punished in
554 public. They were not tied with ropes, but with strips of fabric; and if condemned to death, they were hanged rather than clubbed to death. In any case, complaints against them were extremely rare. The sons of a powerful naba could do anything with impunity.

681 For examples, here are a few crimes and their respective punishments. Of course, there was no written code, no formal scale of penalties. Everything depended on custom and on the whim of the
696 judge. Thus, the wealthy could obtain sentences in their favor by
691 paying the judges, and thieves could avoid punishment by sharing their loot with the naba. Otherwise, a thief caught in the act was
685 flogged, sometimes to death. He was condemned to several months in irons, and exposed to public ridicule before the naba's hut; he had to restore what he had taken, and his family was held responsible. If he repeated the offense, he was led to the marketplace with a rope around his neck; he was supplied with an abundance of meat and dolo /beer/, and then clubbed to death at the foot of a tree. In Ouagadougou he was sometimes made a eunuch instead. This was almost the equivalent of a death sentence, because the operation was carried out in such barbarous fashion that death often ensued. French justice more leniently imprisons the thieves, a cause of complaint by honest people who find the punishment too mild.

682 In case of willful murder, the killer was put to death; if he could
683 not be found, a member of his family was executed in his place.
672 In case of a brawl, no attempt was made to determine who had started the fight or who was in the right. (Manslaughter was punished by a fine paid to the victim's family. The right /26/ of self-defense was, of course, recognized. If blows and wounds had been inflicted, the adversaries were put in irons.)

681 Old women were often accused of being witches and of eating
683 children's souls. If their crime was considered proved, if the sorcerers
888 consulted declared some old woman guilty of a baby's death, she was put to death in very cruel fashion: a second opening was made in a clay pot so that her head could be put completely within it; then the pot was heated intensely and placed over the head of the unfortunate woman.

685 If a goat or sheep caused damage to a field, the animal could be killed on the spot. The owner had to be notified, but he was not

861 receive any advice from him. The Mossi, fathers and mothers alike, do not know how to train their children. Under the pretext that a small child does not know what he is doing, the parents allow him to do as he pleases and to carry out his every whim without punishment. Tots who can barely articulate two words utter the coarsest insults to their mother and beat her with their small fists without being punished. The onlookers merely remark that some day he will be a fighter. To chastise him would be to make him cry, and a child's tears are always an embarrassment to be avoided as much as possible. When a child behaves badly, when he fights, steals, seeks out the company of professional thieves or young scamps, when he tells everybody what he has seen and heard and cannot keep a secret, when complaints are made against him, then his father and mother punish him and warn him not to do it again; but they do not prevent wrong doing, and [672] if necessary they will pay his debts, because all members of the family, especially the father, are held liable. The father does not teach his son the cult and the sacrifices, but he does request the boy's help. The child watches his father, and when he grows up, he does as his father did.

857 Boys of twelve or fifteen may fail to return home in the evening for any reason whatever, without warning, and no one worries about it: "He will come soon enough." The young man of twenty builds 884 himself a hut apart from his father's house, in order to have greater 593 freedom and to receive any visitors he may want. Besides his father's field, he cultivates his own piece of land and sells the produce /36/ himself in order to buy clothes. His father feeds him but rarely presents him with gifts of clothing when he is old enough to work for himself. If he weaves cloth during the dry season, he may do with it as he pleases, sell it or make clothing. His father has no say in the matter. It is the father, however, who teaches his sons how to 868 593 cultivate the soil, how to plait mats, and sometimes how to weave. If the father works at a trade, he teaches it to his sons: the drummers teach their children to beat the drum and to sing the chief's praises; the jewellers and smiths teach their sons their respective professions.

593 The father usually is fond of his children and likes to play with them when they are small. He watches over them while the mother does her household tasks. Parents sincerely lament their children's death, and children that of their siblings. Undoubtedly there are parents with the greatest indifference toward their offspring, but such

428 593 son or a young brother of marriageable age in his former soukala. The daughters, however, get the movable property such as slaves, livestock, grain, cowries, etc. (with the exception of wives).

The oldest daughter takes the largest share. Out of ten beeves she will take six (if there are three daughters, for example) and the two younger daughters will take two each. Out of four slaves she will take two, and the two younger daughters will take one each. Out of 1,000 cowries, the oldest will take 600, the other two 200 each.

The same thing applies if there are no brothers but only daughters and brothers' sons, since the latter have the same rights as their fathers. Thus, it is the eldest son of the younger brother who inherits along with the daughters of the deceased.

593 In this third variant of the Mossi family, in short, the bonds that connect the various households in the family are now of two kinds only:

1. There are the religious bonds, since the head of the entire family remains the high priest of this collectivity.

593 672 2. There are also the judicial bonds (collective responsibility of the family in case of injury done to other people).

"If a man is in debt," says Moulins, p. 34, op. cit. /Monographie du cercle de Ouagadougou/, "his family is held responsible for payment. If he commits a misdemeanor, his family is held responsible for financial reparation.

"If he commits a crime of murder, one of his relatives will be put to death in his place if he has not himself been seized (at least, this is what happened prior to our occupation).

"When the head of the family is served a complaint against one of the individuals under his authority, he appeals first, of course, to the guilty party himself if the latter owns /553/ any property, then to the soukala to which the man belongs, then to the one headed by his nearest relative, etc. Vis-à-vis third parties, however, the family itself, as a whole, is held responsible for reparation.

"The formidable responsibility devolving to the family entails, as its logical counterpart, putting at its disposal, powers sufficient

593 672 to guard against dangers resulting from the obligation to make reparation for injuries committed by one of its members. This has led naturally to a recognition of the family's right, in the person of its head, to take whatever measures are necessary for the preservation of its common interests. Prior to our occupation, such measures could go as far as putting in irons or even putting to death an individual who called upon the collective responsibility of the family too frequently or too onerously, and thus threatened to endanger its equilibrium. The decision of a family head involving the [443] death sentence or putting in irons for life for one of his people, however, only became final with the naba's approval. The latter could oppose it by assuming financial responsibility, in the family's stead, for all future misdemeanors committed by the person he had pardoned."

593 174 We come now to an interesting although extremely ticklish subject, namely, the causes of the partial decommunalization of the Mossi family.

If we look at the present workaday life of these people, their decommunalization seems inexplicable in view of the fact that we are dealing with a group of cultivators, somewhat indolent to be sure, but nevertheless cultivators first and foremost. The Mossi, on the other hand, are not herdsmen. They are very mediocre stock-breeders. Among them as among other Blacks of West Africa, hunting merely accounts for a small percentage of their total food-producing activities. They are not traders, either. We see nothing here, therefore, that might explain the decommunalization of the family, and we must refer back to the previous workaday life of this people. We saw earlier, however, that while the present Mossi population originated /554/ from the fusion of two disparate elements, one of those elements was similar to the Bobo, Gourounsi, Habé, Kipirsi, etc., and thus deeply communal and patriarchal. It is obviously not from this element that the present decommunalization might stem.

Fortunately, there exists another and very different element. The Mossi who came from the Dagomba were, as we know, Blacks who were 1) warriors and conquerors, 2) breeders of horses, no doubt,

664 554 "The wives of the Moro Haba never give birth or raise their children at his own place of residence, but only in one of the eunuch villages. In theory they do not stand above the wives of common natives, but in practice they enjoy high consideration among the Mossi, like all that is connected with the Moro Naba.

"The sons of the sovereign, once weaned, are entrusted to a province or canton chief who is put in charge of their education. [582] At the age of ten they are married and settled in a village, where they live, surrounded by a court, but without necessarily being given a territorial command.

"The prerogatives attached to the title of Moro Naba's son are vast as long as the monarch is alive. They grant the right to steal, to loot, and even to kill with impunity.

"Upon the death of the Moro Naba, his sons become mere nakomsé (sons of chiefs) whose position nevertheless remains quite privileged.

643 644 554 "One of the sons of the deceased sovereign, however, is granted special privileges. At the death of the Moro Naba, the latter's wives elect one of his young sons who adopts his name and, so to speak, perpetuates him. He has no /territorial/ command, but he is surrounded by a court similar to that of the Moro Naba, he enjoys respect almost equal to that paid to the latter, and he is a sacred figure. No one has the right to contradict him or to harm him.

644 554 "As for the Moro Naba's daughters, although in principle they do not stand above ordinary Mossi girls, in practice they are treated with the strictest respect by all natives. Once married, they have almost complete freedom of action vis-à-vis their husband, and they often take advantage of this to lead a most unruly existence.

643 766 "When the Moro Naba's death has been verified, his burial is carried out and followed by the funeral ceremonies, which are held in the same fashion as for a common native, with the sole difference /574/ that they have more brilliance and that the sacrifices are more sizable.

642 672 "For the whole duration of the interregnum, the land falls into a state of complete anarchy. Everyone has the right to kill, loot, and steal as he pleases. Convicts who are serving sentence are fully pardoned and set free.

593 861 858 The right to discipline a child belongs principally to the father (but also to the heads of work group, compound, and family) or to the mother, depending on the age of the child.

"The mother," says Vadier, "has the right to discipline boys until they are circumcised, girls until they marry. This does not mean that the father cannot intervene during that time to reprimand or chastise one of his children, but that he nearly always leaves it to the mother.

"After the boy's circumcision and the girl's marriage, the right to punish belongs to the father and no longer to the mother."

593 858 ●672 The duty of surveillance belongs principally to the father, and secondly to the heads of the work group, compound, and family. One of its consequences is financial liability. If a child steals or commits some reprehensible act which may call for compensation, the father is primarily responsible and must indemnify the injured parties, after seizing whatever property the child may own.

593 858 443 Formerly, when a native could not manage to discipline a son or daughter whose behavior was very bad, he would hand the child over to the Moro Naba after consulting the family head and the family council. From that day forward he would give up his paternal authority, and the Moro Naba alone would hold it with broader prerogatives. If the child continued to commit extortion, the Moro Naba had the right to have him put to death. When it was a girl who was handed to the naba, the latter would give the father a woman of his own household in exchange if he happened to be favorably disposed toward him.

Now, since the French occupation, this is no longer done. In such cases, nowadays, the child is simply expelled from the compound and from the household.

858 593 A father could not give his child as security, nor could he pawn him temporarily as a slave.

593 429 858 Paternal authority is relinquished in two cases, actually very infrequent: (1) when the father goes insane; and (2) when he has committed incest.

In such a case, paternal authority passes to his oldest living brother, or, if there is no brother, to the oldest son. This guardian has exactly the same powers over the child as the father had.

858 In case of insanity, the children are required to help their father and mother /258/ and to attend to their needs. In case of incest, they have no obligations toward the guilty party.

429 If the deceased has no brother or grown son, the family head apportions the children among various members of the family.

The guardian has the same obligations toward his ward and enjoys the same rights over them as did their deceased father. By the same token, the wards have the same duties toward their guardian as they did toward their father.

The child inherits from his guardian just like the latter's legitimate children.

[672] Like the father, the guardian is liable for damages caused by his ward.

591 Adoption. —Adoption occurs in Yatenga.

When two spouses have no progeny (this is quite unusual) or simply fail to have any right away, they sometimes adopt a child. The child must be taken into their family. Adoption does not require any formalities.

The child, adopted at a very young age, is never consulted.

The matter is adjusted between the adoptive father, the child's father, and the family head.

Either a girl or boy may be adopted, but actually boys are adopted for the most part.

From the day of his adoption the child enters the household of his adoptive father and mother as a legitimate child.

Actually, this manner of adoption differs from the French one in that it is limited to the family, to the total family.

In addition to this method of adoption and pertaining to the same category, let us point out a curious custom among the Mossi.

The oldest son, according to custom, must not be brought up by his father. As soon as he leaves his mother's breast or sometimes following circumcision, he is handed over to the /father's/ younger or older brother, who raises him and gives him a wife. Upon the death of his father, however, he comes into the latter's inheritance and thus does not really leave the household to which he was born.

672 Interdiction. —"Only the insane are subject to interdiction," says Vadier.

"When a native is afflicted with insanity, the family head and other members of the family meet to discuss the case of the sick person. If he is recognized as irresponsible, the head of the family has all the inhabitants of the village warned to have no dealings with him. Indeed, according to custom, no one /263/ could be held civilly liable for agreements made by a native afflicted with insanity.

672 "If the insane person still has a father, it is his duty to warn the people of the neighborhood.

"All the deeds made, the debts contracted, and the commercial transactions effected by the insane person are declared void. No third parties may appeal against members of the insane person's family."

000 Now let us deal with the appendages of the family.

We shall divide this section into the following headings.

1. Clients.
2. Domestic servants.
3. Slaves. Their origins.
4. Slaves. Name.
5. Slaves. Kinds of slaves.
6. Serfs.

Let us begin with the clients.

464 1. Clients. The usual clientage involving a household which requests support, protection, food, and shelter from a rich family, in return for which the household will labor for the family and live with it, is not to be found among the Mossi and Foulsé of Yatenga. It does happen, however, that a young man who desires to acquire quickly a wife, a horse, some property, or an amount of authority which does not usually revert to young men decides to leave his family and his compound to place himself in the service of some chief (Moro Naba, canton chief, village chief, tengasoba, etc.). It is the young men, rasamba, who make such decisions. Once they have won what they sought to obtain, however, they return to their families. When one goes to a tengasoba, he usually expects only a wife from him, and he does not leave until the tengasoba dies. Then, provided with a wife, he returns to his family. Naturally, these "temporary volunteers" preserve all their rights in their respective families.

464 731 Let us note further that during times of famine some Mossi request work from people of better means. The duration of their work is usually very short, scarcely more than a few days (two or three days, for example).

464 The employee and employer (if these terms may be used here) are in no way bound to each other. The former may leave whenever he wishes, and the latter may dismiss him as he pleases. He must, however, pay for the employee's work days in full. The daily